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Kraguljac & Kalnay 4700 ROCKSIDE ROAD SUMMIT ONE, SUITE 510 INDEPENDENCE, OH 44131			EXAMINER KHOSHNOODI, FARIBORZ	
			ART UNIT	PAPER NUMBER
			2164	
			NOTIFICATION DATE	DELIVERY MODE
			11/30/2009	ELECTRONIC

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

mary@kkpatent.com

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### Office Action Summary

**Application No.**

10/736,436

**Applicant(s)**

LI ET AL.

**Examiner**

FARIBORZ KHOSHNOODI

**Art Unit**

2164

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 04 August 2009.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1 and 5-22 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 12-22 is/are rejected.
- 7) ☒ Claim(s) 1-11 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 15 December 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB-06)  
Paper No(s)/Mail Date \_\_\_\_\_
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: \_\_\_\_\_

***Detailed Action***

***Response to amendment***

1. Applicant's arguments/amendments with respect to pending claims 1, 5-22 (Cancelled claims 2-4) filed August 4, 2009 have been fully considered and arguments/amendment with respect to claims 1-11 are persuasive and previous claims rejection for claims 1-11 has been withdrawn but, the argument/amendment with regard to claims 12-22 are not persuasive. The Examiner would like to point out that this action is made final (See MPEP 706.07a).

***Claims objections***

2. Claim 15 objected because of use of phrase "*network interference*" in the first limitation. Examiner for examining purposes considered this phrase as "*network interface*". Appropriate correction is required.

***Claim Rejections - 35 USC § 101***

35 U.S.C. 101 reads as follows:

Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

3. Claims 1, 12, and 21 rejection under 35 USC § 101 has been withdrawn based on amendment filed on August 4, 2009.

***Allowable Subject Matter***

4. Amendment to the claim 1 by combining claims 2-4 into Claim 1 make the claim 1, 5-11 allowable. Therefore claims 1, 5-11 are objected to as being allowable over the prior art in this office action.

***Claim Rejections - 35 USC § 103***

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. Claims 12-20 and 22 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Hefetz et al. United States Patent Publication No. 20040123238 A1 in view of Kniest United States Patent Publication No. 2002/0156864 A1.

As per claim 12:

Hefetz et al. teach a method comprising: **receiving a request for the channel portal from a client system (Par. 33 lines 2-4); accessing a channel portal template in response to the request, the channel portal template having at least one dynamic portion, and the channel portal template being stored on a storage device (Par. 55); including into the at least one dynamic portion of the channel portal template (Par. 6), and**

**information about content availability to generate a portal page (Par. 28); ; and  
providing the channel portal page to the client system (Par. 33)**

Hefetz et al. do not explicitly disclose for the links to content cached. However, Kniest Teaches a system, **wherein links to content cached in the content engine (See Kniest Par. 306) .**

Therefore, it would have been obvious to a person in the art at the time the invention was made to modify the method disclosed in Hefetz et al. to have the links to content cached. This modification would have been obvious because a person having ordinary skill in the art, at the time the invention was made, having the teachings of Hefetz et al. and Kniest before him/her, to modify the system of Hefetz et al. to include the links to content cached of Kniest, since it is suggested by Kniest such that, the user can select the current page to download and tract of how long the page has been displayed or read and if it is long enough the WebAngel would search the current page and easily forward cache process from there (See Kniest Par 309) .

As per claim 13:

Hefetz et al. as modified teach a method comprising: **checking a replication status of the content engine to determine channel content available at the content engine (See Hefetz et al. Par. 28 and Kniest Par. 306) .; and including into the at least one dynamic portion of the channel portal template links to channel content found in the replication status to generate the channel portal page (See Hefetz Par. 38) .**

As per claim 14:

Hefetz et al. as modified teach a method, where the request includes a search query for content in the channel, where the channel portal template includes an applet accepting a first input of the search query and a second input of a list of content in the channel and where including links to content includes: executing the applet to find content matching the search query (*See Hefetz et al. Par. 38 and Kniest Par. 306*); determining whether the content matching the search query is cached at the content engine (*See Hefetz et al. Par. 6 and Kniest Par. 306*); and including into the at least one dynamic portion of the channel portal template links to channel content cached at the content engine (*See Hefetz et al. Par. 3 Kniest Par. 306*).

As per claim 15:

Hefetz et al. teach a system comprising: a network interface to receive a request for a portal from a client system (*Par. 33 lines 1-4*); a storage device to store content from the content distributed network and a portal template having at least one dynamic portion, and the portal template being stored on a storage device (*Par. 57*), a controller coupled to the interface and the storage device, the controller configured to access the portal template in response to the request, to include in the at least one dynamic portion of the portal template (*Par. 6*), and information about content availability to generate a portal page (*Par. 28*), and to provide the portal page to the client system (*Par. 33*).

Hefetz et al. do not explicitly disclose for the links to content cached. However, Kniest Teaches a system, **wherein links to content cached in the content engine** (*See Kniest Par. 306*).

Therefore, it would have been obvious to a person in the art at the time the invention was made to modify the method disclosed in Hefetz et al. to have the links to content cached. This modification would have been obvious because a person having ordinary skill in the art, at the time the invention was made, having the teachings of Hefetz et al. and Kniest before him/her, to modify the system of Hefetz et al. to include the links to content cached of Kniest, since it is suggested by Kniest such that, the user can select the current page to download and track of how long the page has been displayed or read and if it is long enough the WebAngel would search the current page and easily forward cache process from there (*See Kniest Par 309*).

As per claim 16:

Hefetz et al. as modified teach a method, **wherein the storage device further includes a replication status of the content engine and the controller is further configured to check the replication status to determine available cached content** (*See Hefetz et al. Par. 28 and Kniest Par. 306*), **the controller further to include into the at least one dynamic portion of the portal template links to content found in the replication status** (*See Hefetz et al. Par. 38 and Kniest Par. 306*).

As per claim 17:

Hefetz et al. as modified teach a method, **wherein the portal template includes at least**

**one applet and the controller is further configured to run the at least one applet to acquire at least one pointer to content cached in the content engine** (*See Hefetz et al. Par. 9 and Kniest Par. 306*).

As per claim 18:

Hefetz et al. as modified teach a method, wherein the portal is a channel portal and the portal template is a channel portal template and the controller is further configured to include into the at least one dynamic portion of the channel portal template links to content cached in the content engine to generate a channel portal page (*See Hefetz et al. Par. 6 and Kniest Par. 306*).

As per claim 19:

Hefetz et al. as modified teach a method, wherein the storage device further stores a replication status of the content engine and the controller is further configured to check the replication status to determine channel content available at the content engine and to include into the at least one dynamic portion of the channel portal template links to channel content found in the replication status to generate a channel portal page (*See Hefetz et al. Par. 38 and Kniest Par. 306*).

As per claim 20:

Hefetz et al. as modified teach a method, wherein the request includes a search query for content in the channel, wherein the channel portal template includes an applet that



**accepts a first input of the search query and a second input of a list of content in the channel, and wherein the controller is further configured to execute the applet to find content matching the search query, to determine whether the content matching the search query is cached at the content engine, and to include into the at least one dynamic portion of the channel portal template links to channel content cached at the content engine** *(See Hefetz et al. Par. 3 and Par. 6 and Par. 38 and Kniest Par. 306) .*

As per claim 22:

**Hefetz et al. teach a computer program product having a computer-readable medium including computer program logic encoded thereon that, when performed on a computer system having a coupling of a memory, a processor, and at least one communications interface, provides a method for dynamically providing a Web portal in a content distributed network by performing the operations of: receiving a request for the portal from a client system (Par. 33); accessing a portal template in response to the request, the portal template having at least one dynamic portion, and the portal template being stored on a storage device (Par. 55); and providing the portal page to the client system (Par. 33); including into the at least one dynamic portion of the portal template (Par. 6); information about content availability to generate a portal page (Par. 28) .**

Hefetz et al. do not explicitly disclose for the links to content cached. However, Kniest Teaches a system, **wherein links to content cached in the content engine** *(See Kniest Par. 306) .*

Therefore, it would have been obvious to a person in the art at the time the invention was made to modify the method disclosed in Hefetz et al. to have the links to content cached. This modification would have been obvious because a person having ordinary skill in the art, at the time the invention was made, having the teachings of Hefetz et al. and Kniest before him/her, to modify the system of Hefetz et al. to include the links to content cached of Kniest, since it is suggested by Kniest such that, the user can select the current page to download and track of how long the page has been displayed or read and if it is long enough the WebAngel would search the current page and easily forward cache process from there (*See Kniest Par 309*).

7. Claim 21 is rejected under 35 U.S.C. § 103(a) as being unpatentable over Hefetz et al. United States Patent Publication No. 20040123238 A1 in view of Kniest United States Patent Publication No. 2002/0156864 A1 and further in view of Bryan et al. United States Patent Publication No. 2002/0146015 A1.

As per claim 21:

Hefetz et al. teach a method comprising: **providing a manifest file to establish a channel of content in the content distributed network, the manifest file describing channel content, the manifest file further including a portal template, the portal template including at least one dynamic portion, and the portal template being stored on a storage device** (*Par. 10*) ; **receiving a request for the Web portal from a client system** (*Par. 33*) ; **accessing the portal template in response to the request** (*Par. 55*) ; **including dynamic**

**portion of the portal template to generate a Web portal page (Par. 28); and providing the Web portal page to the client system (Par. 33) .**

Hefetz et al. do not explicitly disclose for the links to content cached. However, Kniest Teaches a system, **wherein links to content cached in the content engine** (See Kniest Par. 306) .

Therefore, it would have been obvious to a person in the art at the time the invention was made to modify the method disclosed in Hefetz et al. to have the links to content cached. This modification would have been obvious because a person having ordinary skill in the art, at the time the invention was made, having the teachings of Hefetz et al. and Kniest before him/her, to modify the system of Hefetz et al. to include the links to content cached of Kniest, since it is suggested by Kniest such that, the user can select the current page to download and tract of how long the page has been displayed or read and if it is long enough the WebAngel would search the current page and easily forward cache process from there (See Kniest Par 309)

Hefetz et al. as modified do not explicitly disclose for the cache portal template. However, Bryan et al. teach a method, **cache a portion of channel content and to cache the portal template** (See Bryan et al. Par. 86) .

Therefore, it would have been obvious to a person in the art at the time the invention was made to modify the method disclosed in combination of Hefetz et al. and Kniest to have the links to content cached. This modification would have been obvious because a person having ordinary skill in the art, at the time the invention was made, having the teachings of Hefetz et al. and Kniest and Bryan et al. before him/her, to modify the system of Hefetz et al. and Kniest to include the links to content cached of Bryan et al., since it is suggested by Bryan et al. such that,

the stores data can be retrieve from a cache/database for fast access when the user wanted to access his or her individual portal (*See Bryan et al. Par. 63*).

### ***Response to Arguments***

8. Applicant contends that Hefetz fail to teach or suggest, “*content engine*” as recited in claim 12-22. Examiner respectfully disagrees with applicant. Hefetz teaches a system that utilizes a run-time and design-time translator which acts as a content engine and would allow the portal page template includes the defined page element having one or more content components in the page (*See Hefetz Par. 11 and Fig. 1*).

9. Applicant contends that Hefetz fail to teach or suggest, “*distributed network*” as recited in claim 12, 15, and 21 Examiner respectfully disagrees with applicant. Hefetz teaches portal-based networked environment which multiple clients can access data over a network through a portal. The network can be any communication network linking machines capable of communicating using one or more networking protocols, e.g., a local area network (LAN), a wide area network (WAN), an enterprise network, a virtual private network (VPN), a mobile device network and/or the Internet. The Internet is a distributed network (*See Hefetz Par. 32, Fig. 2*).

10. Applicant contends that Hefetz fail to teach or suggest, “*dynamic portal page*” as recited in claims 12, 15, and 22-23. Examiner respectfully disagrees with applicant. Hefetz teaches a portal development tool that allows development and deployment of a dynamically generated

portal page which is accomplished by using a single template and that is fully open to different page components (e.g., open to all HTML components) (*See Hefetz Par. 7*).

11. Applicant contends that Hefetz fail to teach or suggest, *"receiving a request for the portal from a client system"* as recited in claims 12, 15, and 21-22. Examiner respectfully disagrees with applicant. Hefetz teaches a system that allows the portal receives requests from clients and uses portal templates to generate web page in response (*See Hefetz Par. 33*).

12. Applicant contends that combination of Hefetz and Kniest fail to teach or suggest, *"links to content cached in the content engine"* as recited in claims 12, 15, and 21-22. Examiner respectfully disagrees with applicant. Kniest teaches a system that cache forward engine would gather information and links to other web sites and WebAngel looks through the content for any link that are available and fetches them while the user continues to read the current page (*See Kniest Par. 306-308*).

13. Applicant's arguments for the rest of claims are related to the independent claims 12 and 15. Examiner respectfully disagrees with the applicant because of the above explanation.

### ***Conclusion***

14. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Fariborz Khoshnoodi whose telephone number is 571-270-1005. The examiner can normally be reached on M-TH every other F 8:00-4:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Charles Rones can be reached on 571-272-4085. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Fariborz Khoshnoodi  
Examiner  
Art Unit 2164

/FK/

/Charles Rones/

Supervisory Patent Examiner, Art Unit 2164